

**THE CORPORATION OF THE MUNICIPALITY OF WEST GREY**

**BY-LAW NUMBER 49 - 2011**

**BEING** a By-law to authorize the Mayor and CAO to enter into an Amending Subdivision Agreement with Maple Hill Estates Inc.;

**WHEREAS** the Council of the Municipality of West Grey deems it necessary in the public interest to enter into an Amending Subdivision Agreement with Maple Hill Estates Inc., being owners of lands described as Part of the Second and Third Division of Lot 30, Concession 1, East of the Garafraxa Road in the former Geographic Township of Glenelg, now the Municipality of West Grey;


**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST GREY ENACTS AS FOLLOWS:**


1. **THAT** the Mayor and CAO are hereby authorized to sign an Amending Subdivision Agreement with Maple Hill Estates Inc., a copy of which is attached hereto as Schedule "A", and is hereby declared to form part of this by-law.
2. **THAT** this by-law shall come into force and take effect on the date of its final passing.

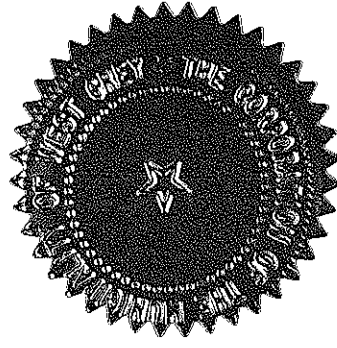
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Read a first and second time this 18<sup>th</sup> day of July, 2011.

Read a third time and finally passed this 18<sup>th</sup> day of July, 2011.

  
\_\_\_\_\_  
Kevin Eccles, Mayor

  
\_\_\_\_\_  
Christine Robinson, CAO



**SCHEDULE "A" TO BY-LAW NUMBER 49 - 2011**

**MUNICIPALITY OF**



**AMENDING SUBDIVISION AGREEMENT**  
**MAPLE HILL ESTATES INC.**

# **MUNICIPALITY OF WEST GREY** **AMENDMENTS TO SUBDIVISION AGREEMENT**

THIS AGREEMENT made in quadruplicate on the        day of June, 2011.  
BETWEEN:

**MAPLE HILL ESTATES INC.**

Hereinafter called the "DEVELOPER" of the FIRST PART

- and -

**THE CORPORATION OF THE MUNICIPALITY OF WEST GREY**

Hereinafter called "WEST GREY" of the SECOND PART

WHEREAS the DEVELOPER and WEST GREY entered into a Subdivision-Agreement dated the 18<sup>th</sup> day of June, 2009 (the "AGREEMENT") with respect to certain land described in Schedule "A" (the "LANDS") which was registered in the Land Titles Office at Owen Sound on July 9<sup>th</sup>, 2009 as Instrument No. GY17038;

AND WHEREAS the DEVELOPER and WEST GREY wish to amend certain terms of the AGREEMENT;

AND WHEREAS all the LANDS have now been registered as PLAN 16M29;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of good and valuable consideration and the sum of Two Dollars (\$2.00) of lawful money of Canada; now paid by each of the parties hereto; (the receipt whereof is hereby acknowledged), the parties hereto hereby covenant, promise and agree with each other as follows:

## **1. AMENDMENT TO PHASING**

The first 3 Phases provided for in the 7<sup>th</sup> recital of the AGREEMENT are hereby amended and reconstituted so that the 7<sup>th</sup> recital in the AGREEMENT shall now read as follows:

"AND WHEREAS the DEVELOPER and WEST GREY have agreed that the subdivision may proceed in a "phased" manner (referred to herein as each PHASE) so that:

PHASE 1 will consist of the development of Lots 1 to 7 inclusive and Lots 23 to 31 inclusive;

PHASE 2 will consist of the development of Lots 19 to 22 inclusive and Lots 32 to 36 inclusive;

PHASE 3 will consist of the development of Lots 16 to 18 inclusive and Lots 37 to 39 inclusive; and

PHASE 4 will consist of the development of Lots 8 to 15 inclusive and Lots 40 and 41."

## **2. SECURITY**

a) Section 1(c)(iv) of the AGREEMENT provides for the security for the uncompleted WORKS in any PHASE and WEST GREY acknowledges that it has received security in the amount of \$67,620.00 (the "SECURITY") from the DEVELOPER.

b) Provided that the WORKS in each PHASE have been completed to the satisfaction of WEST GREY and its engineers under the terms of the AGREEMENT, WEST GREY and the DEVELOPER agree that the SECURITY for that completed PHASE shall continue to stand as security for the next PHASE until such time as PHASE 4 has been completed in accordance with the terms of the AGREEMENT to the satisfaction of WEST GREY and its engineers.

## **3. SCHEDULE "C"**

The third paragraph of Schedule "C" to the AGREEMENT shall be amended to now read as follows:

"Drawing No. 104803-00 (General Plan) with latest revision date May 3, 2011;"

THIS AGREEMENT shall be binding upon and enure to the benefit of both parties hereto and their

respective heirs, estate trustees, successors and assigns.

IN WITNESS WHEREOF the Party of the First Part and the Party of the Second Part have affixed their signatures attested by the hands of its duly authorized officers.

**SIGNED, SEALED AND DELIVERED**

) **MAPLE HILL ESTATES INC.**

) PER: *Brian Padfield*

) Brian Padfield, President  
*AUTHORITY TO SIGN THE CORPORATION*  
THE CORPORATION OF THE  
MUNICIPALITY OF WEST GREY

) PER: *Kevin Eccles*

) Kevin Eccles, Mayor

) PER: *Christine Robinson*

) Christine Robinson, CAO

**SCHEDULE "A"**

**DESCRIPTION OF LANDS**

**In the Municipality of West Grey (geographic Township of Glenelg),  
County of Grey, and being composed of:**

**Lots 1 to 41 inclusive, Plan 16M29**